

## Coast Guard, DHS

## § 187.11

used as a means of transportation on water.

*Vessel Identification System* or *VIS* means a system for collecting information on vessels and vessel ownership as required by 46 U.S.C. 12501.

[USCG–1999–6420, 66 FR 15630, Mar. 20, 2001, as amended by USCG–2008–0179, 73 FR 35024, June 19, 2008]

### § 187.9 What is a vessel identifier and how is one assigned?

(a) The vessel identifier for a vessel having a valid HIN is the HIN.

(b) If a vessel does not have a valid HIN, a vessel identifier is assigned under the following table:

TABLE 187.9(b)—VESSEL IDENTIFIER ASSIGNMENTS

If the vessel is:	And does not have a valid HIN:	Then the vessel identifier is:
(1) Documented .....	.....	The official number assigned by the Coast Guard under 46 CFR part 67.
(2) Documented .....	And is transferred to a new owner .....	The HIN assigned by the Coast Guard.
(3) Undocumented .....	And must be numbered under 33 CFR parts 173 and 174.	The number issued on a certificate of number by the issuing authority of the State of principal operation, provided the number will not be used in the future to identify a different vessel.
(4) Undocumented .....	And is transferred to a new owner .....	The HIN assigned by the issuing authority of the State of principal operation.
(5) Undocumented .....	And the vessel is required to be numbered or titled in a new State of principal operation.	The HIN assigned by the issuing authority of the State of principal operation.

### § 187.11 What are the procedures to participate in VIS?

(a) A State wanting to participate in VIS must inform the Commandant in writing, describing its willingness and ability to comply with each requirement of § 187.201 of this part. If the Commandant is satisfied that the State will comply fully with § 187.201 of this part, the State will be allowed to participate in VIS and will be listed in Appendix A to this part, for as long as the Commandant determines that the State complies fully with § 187.201 of this part.

(b) A State wanting to participate in VIS but unable to comply with one or more requirements of § 187.201 of this part may participate in VIS under one or more waivers, for good cause shown. For purposes of this section, “good cause” includes the existence of State law prohibiting full compliance. A State wanting to participate in VIS under one or more waivers must—

(1) Inform the Commandant in writing;

(2) Describe the requirement or requirements for which waiver is sought and the good cause for noncompliance; and

(3) Describe the steps the State intends to take to remove the good cause

and the anticipated time needed to do so.

(c) The Commandant may allow a State to participate in VIS under one or more waivers, pursuant to a memorandum of agreement between the Coast Guard and the State.

(1) The memorandum of agreement recites the information provided by the State under paragraph (b) of this section and is valid for not more than 3 years, during which time the State will be deemed to participate in VIS and be listed in Appendix A to this part.

(2) The State may withdraw from the memorandum of agreement and participation in VIS upon written notice to the Commandant. The Commandant may terminate the memorandum of agreement and the State’s participation in VIS for non-compliance with the terms of the memorandum.

(3) Participation in VIS under one or more waivers beyond the term of the initial memorandum of agreement requires a new memorandum.

(4) If the good cause for waivers is eliminated within the term of the memorandum of agreement, the State may so inform the Commandant in writing. The Commandant may then